

From the Management Desk

After many months of planning, discussions, obtaining bids and meeting with vendors, by the time you receive this newsletter all repairs and the painting of the wall should be complete! What an accomplishment! While many are not aware of the number of hours this project took to complete, the Board of Directors and Manager have hundreds of hours invested in this project. The Board is very aware of the inconvenience to the residents on Diamond Circle North. As such, they would like to convey their thanks to these homeowners and for their cooperation.

I also think we need to thank our President Anthony Martinez. Tony really took ownership of this project and saw it through to completion. Tony has many hours of his personal time spent meeting with the various vendors and making sure the job was done right. Thank you Tony!

I am happy to report that while the total cost came in slightly over budget, we completed the job that desperately needed to be done. The wall

along Wilkinson Road is approximately twenty years old and from what we can determine, built by two different contractors. The wall on the West side of Jade was in far worse condition than East side. The West side had a number of additional repairs that needed to be addressed, from weak and broken corners, to cracks in the structure. The entire wall had several sections that required holes to be drilled into the block, then concrete poured into the holes to shore up the structure. Other sections had to be re-stuccoed because the stucco was not applied at the proper thickness when the wall was build.

In summary, the wall was pressure washed on both sides, concrete was repaired, stucco was fixed and the completed wall was primed and painted. We expect to get a minimum of 7 to 10 years out of the paint job and many more out of the wall itself.

Kevin Billingsley
Community Association Manager, CAM37024

Emerald Gardens HOA
PO Box 21401
Sarasota FL 34237-4401

Emerald Gardens

www.EmeraldGardens.org

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The Jewel



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DO YOU RENT OUT YOUR HOME?

According to our Deed Restrictions, *Leases on the rental of homes shall be for a period of not less than six (6) months. There will be no leases for less than the entire area of a lot. If the lot's assessments are delinquent, the Association shall have the right to deny the lot owner the ability to lease his or her lot until the assessments are brought current.*

From the Desk of the President

Hello my fellow residents. It is that time of year when we have our semi-annual meeting. I hope to see everyone there. Before we meet, I would like to discuss a problem we have been having with some homeowners not maintaining control of their dogs. In mid May 2012, a homeowner was walking her small dog down Diamond Circle South, on a leash. While walking her dog, another homeowner's large dog, attacked her small dog, which was on the sidewalk. A teenage boy separated the dogs and took the large dog in the house. We also have had incidents where some homeowners choose to leave their dogs, unattended in their front yard. I have been approached by a few homeowners who have stated that they have family members who are afraid to walk down some of our streets because of their fear of these dogs. Finally, some dog owners also fail to pick up the mess their dogs leave on other homeowner's property.

I have spoken with Sarasota County Animal Services about the issues I mentioned and they directed me to these sections of the statute. Their telephone number is 861-9500. For purposes of this discussion, I offer the following. According to Sarasota County, Florida Code of Ordinances Article II Animal Control, Chapter 14 Section 14-35, the definition of "direct control means imme-

diately and continuous physical control of an animal at all times, such as by means of a fence, leash cord or chain of sufficient strength to control the animal". Section 14-40 Vicious Animal (a) 4, "Any animal which without adequate provocation, chased or approached a person upon the street, sidewalks or any public grounds in a menacing fashion or apparent attitude of attack..." Section 14-41 Dogs and cats running AT Large (a), "No person shall cause, permit or allow a dog or cat to stray or in any manner run AT Large unless the dog or cat is leashed ..." Finally, Section 9 of our deed restrictions also follow the Sarasota County Ordinance and state, "Owners will be responsible for proper animal waste disposal."

For those of us who choose to own dogs, it is incumbent upon us to make certain our animals are always under control. No resident should be afraid to walk the streets of our neighborhood for fear of attack or intimidation from anyone's dog. Please keep this in mind and continue to make our community one of, if not the best in all of Sarasota. As always, if you have any questions or concerns, feel free to contact me. Thank you for allowing me to serve as President of Emerald Gardens Homeowners Association.

Sincerely
Anthony Martinez

Volunteers Needed? We asked... and ONE came out.

Thank you to Petra for all of your hard work. Petra worked right along the Board Members who came out. Thank you to the Board for donating your time and efforts in mulching the entrance. This hard labor goes far above the duties volunteered for when they took on the board position. Thank you again.

Thank you Dave Lutes as well. Dave took time to put out all the flags for Memorial Day.

Wayne Peterson Update

A miracle in process. That would be a way of describing what is taking place in the Peterson household. Wayne retired from being your Community Manager in the Fall of 2010. In December of 2010, he was diagnosed with 4th stage pancreatic cancer metastasized to the liver. He then started a clinical trial med and chemo, which continued to March of 2012. He has been in the hospital six times since Feb of this year and rehab at Health South. He was dealing with cancer, heart problems, anemia and edema. Through all this, he keeps rebounding back! At the moment he is off the chemo and his heart medications have been readjusted. He is back to walking, driving and enjoying life. We are most appreciative of all the concerns and best wishes of all the neighborhood. It takes a Village to keep it all going.

Thanks you again.

Wayne and Barbara Peterson

Do You Know Where Your Association Documents Are?

When you bought a home in our community, you should have received copies of all our governing documents—including the rules and regulations. Sometimes these documents get lost among all the other papers you received at closing. And many homebuyers are so involved moving into their new homes, they don't take the time to read all the fine print.

As a homeowner, you have a right to these documents; so, if you don't have copies for any reason, let us know, and we'll provide them to you.

Of course, it's your responsibility to provide the association with your current address and phone number (particularly nonresident owners). This enables us meet our obligation to provide all owners with information from the association.

It's very important to have copies of the governing documents because you'll be expected to know and comply with all rules and regulations of the community. You'll

also want to stay informed by reading all materials provided by the association.

It's our responsibility to make these documents—the by-laws and the covenants, conditions, and restrictions—as understandable as possible, so if there's anything you don't understand, please let us know. We'll be glad to clarify any confusing language or give you other materials that answer your questions.

That old expression—ignorance of the law is no excuse—isn't exactly our motto, but it's close.

Save the Date

The Emerald Gardens Semi-Annual Meeting is scheduled for Thursday, July 26, 2012 at St. John's United Methodist Church. Please plan to attend, or please return your Proxy to us. The doors open at 6:30 and the meeting will start promptly at 7:00pm.

What is a Board Resolution and Why Are We Using Them?

A board resolution is a motion that follows a set format and is formally adopted by the board. Resolutions may enact rules and regulations or formalize other types of board decisions. There are two types of resolutions for a community association:

1. Policy Resolutions relate to governing the Homeowner Association, including but not limited to, actions affecting the members' rights of enjoyment and obligations, and the protection of Association and members' equity.

2. Administrative Resolutions address the internal operations of the community association. Examples include operating procedures, committee responsibilities, collection procedures and policy rules administration.

The manager maintains all adopted resolutions. They are available to association members for review upon request and can also be found on the EGHOA website under "Downloadable Documents".

A funny thing happened to me at my first HOA meeting, I was elected Vice President!

By Gavin Christie, Vice President

I have to say, I was very excited to know that the evening of our first homeowners association meeting had finally arrived. My wife and I sought out a neighborhood like Emerald Gardens, because it was a deed restricted community, but also the HOA that came with it. You see, I have lived in a non-deed restricted neighborhood for over 20 years, with my wife for the last six. While we enjoy the location, we often wished there were some rules that restricted what we feel are "less than desirable" goings on in the neighborhood. This is one of the main reasons we sought a new home in a deed restricted community. That said, I have heard horror stories about HOAs and the restrictions they imposed. I was a bit concerned about what we might be getting into.

Before we placed an offer on what is now our new home (well soon to be as we are still involved in the renovation, worthy of a whole other story), I was careful to review the rules and regulations for Emerald Gardens. They seemed very reasonable. Knowing that we wanted to add a pool and to make several other changes to the home and property, I contacted the Emerald Gardens HOA through the website. I was asked to submit plans to the board for review and that they would discuss them at the next meeting. Luckily the meeting was the following week. Based upon all that I had heard about HOAs, I truly expected resistance to our plans, mainly because we wanted to remove a few trees from the property that were basically engulfing the home and others that were in the way of where we wanted to install a pool. Much to my surprise, everything we wanted to do was ok. Hmmm. This seems like it may work for us.

Having a good feeling about the board, I began to ask pretty much everyone I knew or met if they knew anything about Emerald Gardens. Much to my surprise, many did. I heard comments like, "really great neighborhood" and "I heard they have really big turtles in the lake" plus "other neighborhoods take their kids there to trick or treat." I was sold. The trick or treat thing is what did it for me. We made an offer and after a few back and forths, our offer was accepted and we bought the house. Hooray! Soon thereafter we received a basket of goodies welcoming us to the community. Clearly we made the right choice to move to Emerald Gardens!

While reviewing the community website, I learned that there would be two openings on the board and promptly threw my hat in the ring. I wasn't sure how the process worked. Having owned a business for 14 years on Siesta Key, I had served as the treasurer of the local merchants association for some time. I thought that would be a good fit. Yes, treasurer. I could do that. I should run for this position? Would there be some sort of campaign? Did I need to prepare a speech touting my accolades for such a position? How many others would be vying for the same position? I really had no idea.

As the evening of our first general meeting approached, it may sound silly, but I was actually a bit nervous. The fact that no one else living in a community of 127 homes wanted to serve on the board of the HOA seemed so odd to me. I wondered what I was getting myself into. Was there a lot of work involved? While I was up for the task, whatever that might be, I had no idea what to expect. The night of the general meeting, I expected to find a hundred or more other cars in the church parking lot where the meeting would be held, but I was only one of 15 or so. Weird I thought. People must be running late. Surely more people would come. Why wouldn't they? "That's ok", I thought with cautious optimism. People are busy...I guess. We went inside.

Once inside the church we were greeted by Anthony (Tony) Martinez, current President of the HOA. We were given a packet containing the meeting agenda and financial reports and also a raffle ticket. (Might we win valuable prizes?) We took our seats. The meeting came to order. Tony, opened the meeting by greeting everyone and thanking all those in attendance for coming. There were updates about various ongoing projects including the repair and painting of the wall along Wilkinson. There was mention about the need to pick up visible trash in the lake while the water level is low. That seemed like something all homeowners would do any way, but a good suggestion. A recent series of some vandalism and "eggings" was discussed and the need to contact police when they occur. That makes sense. Toward the end of the meeting, nominations were accepted for the upcoming vacancies on the board. Although I already had offered to "run", a nice gentleman I had never met before nominated me. There were three nominations in all. Slips of paper were passed out and everyone voted for their two choices. After the votes were counted, it was determined that I was in. I was now on the board! After a raffle drawing that included various gift cards from local businesses, the meeting was adjourned. A short meeting of those on the board followed. This was to determine what positions each board member would hold.

The new meeting was called to order and it was decided that I would be Vice President. I had no idea what would be entailed of me in this new position. I would learn all about it at my first monthly board meeting scheduled for February 22nd. I couldn't wait.

Next article: My experience as an Emerald Gardens board member and what that really entails.